

### **Remarks/Arguments**

Reconsideration of this application, as amended, is respectfully requested.

#### **I. Status of the Claims**

After entry of these amendments, claims 1, 4, 5, 7-12, 16, 17 and 21-30 are pending. Claims 2, 3, 6, and 13-15 are canceled, without prejudice.

Claim 1 is amended to recite that  $Q^1$  is OH, and to incorporate the limitations of original claims 2 and 3 (that  $R^a$  is hydrogen and  $R^b$  is hydrogen or unsubstituted  $C_{1-10}$  alkyl).

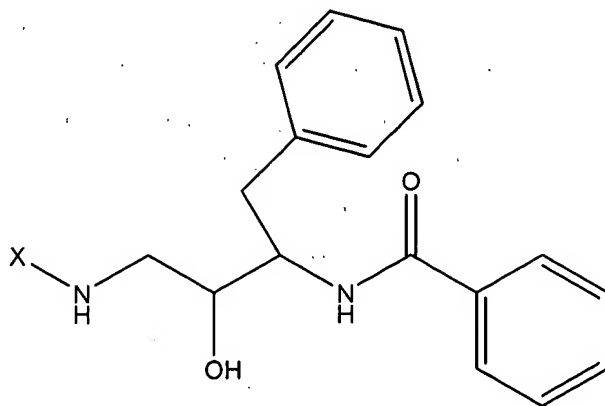
Species claim 16 is amended to delete species no longer covered by the genus of amended claim 1.

New independent claim 21, in which  $Q^1$  is  $NH_2$ , is added. Support for new claim 21 is found in original claim 1. New claims 22-30, which are dependent from claim 21, are added. Support for new claims 22-30 is found in the original dependent claims.

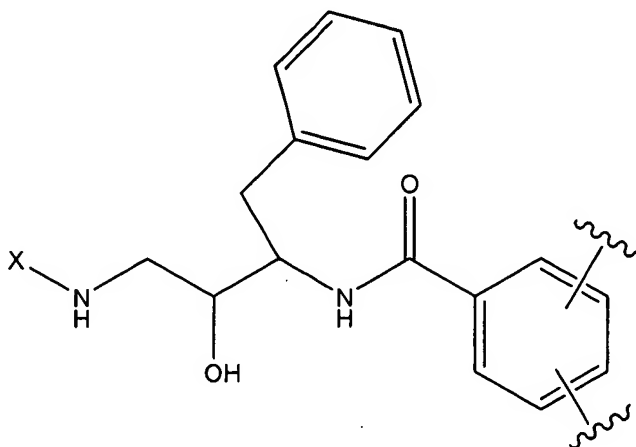
No new matter is added by the claim amendments.

#### **II. Rejections Under 35 U.S.C. § 102, Second Paragraph**

Claims 1, 4, 5, 10, 11 and 13-17 stand rejected under 35 U.S.C. § 102(e) as anticipated by US 2006/0025459, based on the species depicted at pages 3-8 of the office action. Each of the species cited by the Examiner contains a hydroxyethylamine moiety, as shown below, wherein X represents an optionally substituted alkyl group.



Claims 1, 4, 5, 12, 15 and 17 stand rejected under 35 U.S.C. § 102(e) as anticipated by US 2006/00211740, based on the species depicted at page 9 of the office action. Each of the species cited by the Examiner also contain a hydroxyethylamine moiety, as shown below, wherein X represents an optionally substituted alkyl group.



The claims as now amended are not obvious over the cited species from either of US 2006/0025459 or US 2006/00211740. Claim 1 and dependent claims 4, 5, 7-12, 16 and 17 require that Q<sup>1</sup> is OH, R<sup>9</sup> is hydrogen and R<sup>b</sup> is hydrogen or unsubstituted C<sub>1-10</sub> alkyl. Hence, claims 1, 4, 5, 7-12, 16 and 17 are not obvious over the cited art.

Claims 21-30 require that Q<sup>1</sup> is NH<sub>2</sub>, and thus do not cover compounds having the hydroxyethylamine moiety of the cited species. Hence, claims 21-30 are not obvious over the cited art.

In view of the action taken, it is believed that the rejections under 35 U.S.C. § 102(e) have been overcome, and it is requested that the rejection be withdrawn.

### III. Claim Objections

Claims 2, 3 and 6-9 are objected to, presumably on the grounds that they are dependent from a rejected claim. Claims 2 and 3 have been canceled, and the subject matter of claims 2 and 3 have been incorporated into amended claim 1.

In view of the action taken, it is believed that all pending claims 1, 4, 5, 7-12, 16, 17 and 21-30 are now allowable.

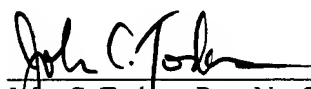
**IV. Conclusion**

In view of the action taken and arguments made, it is believed that all pending claims 1, 4, 5, 7-12, 16, 17 and 21-30 are not obvious over the cited art, and are now in condition for allowance.

Favorable action is earnestly solicited.

Respectfully submitted,

By

  
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Date: December 5, 2008